

**CITY OF ROCHESTER
30 CHURCH STREET**

**ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 AM - 9:30 AM
CONFERENCE ROOM 223B**

**Cases 1-5 Public Hearing Begins: 9:30 AM
Cases 6-11 Public Hearing Begins: 11:30 AM
CITY COUNCIL CHAMBERS 302A**

June 25, 2015

I. Meeting with Staff

II. Public Hearings:

Case: 1
File Number: P-003-14-15
Case Type: Administrative Appeal
Address: 235 Browncroft Blvd (SE)
Zoning District: R-1 Low Density Residential
Applicant: Cassandra Petsos
Purpose: To appeal the issuance of Certificate of Zoning Compliance #1150582 to construct a 15' x 20.5' sunroom addition to the side of an existing single family dwelling.

Code Section: 120-189G
SEQR: Type 2

Case: 2
File Number: P-004-14-15
Case Type: Administrative Appeal
Address: 390 Hayward Ave (SE)
Zoning District: R-1 Low Density Residential
Applicant: Salan Malik
Purpose: To appeal the denial of Certificate of Zoning Compliance # 1150722 to maintain use of the property as a two-family dwelling by proving that the structure has been structurally altered to such an extent that it is impracticable to restore such structure to its built-as condition.

Code Section: 120-189G
SEQR: Type 2

Case:	3	
File Number:	V-058-14-15	<i>(Economic hardship approved at the December 2014 hearing)</i>
Case Type:	Use & Area Variances	
Address:	3885 Lake Avenue (NW)	
Zoning District:	C-1 Neighborhood Center District	
Applicant:	Kip Finley, Indus Real Estate	
Purpose:	To establish a sit-down restaurant with a drive-thru operation for Dunkin' Donuts, both having hours of operation from 5:00 am to 11:00 pm, a prohibited use in the C-1 zone, and to waive certain site requirements for the drive through component, parking lot design, and sign limitations.	
Code Section:	120-34; 120-136; 120-173; 120-177	
SEQR:	Unlisted	
Lead Agency:	Director of Planning and Zoning	
Enforcement:	No	
Case:	4	
File Number:	V-088-14-15	<i>(HELD from May 21, 2015 hearing pending additional information from the applicant)</i>
Case Type:	Area Variance	
Address:	518 Hillside Avenue (SE)	
Zoning District:	R-1 Low-Density Residential District	
Applicant:	Cindy Stevens	
Purpose:	To legalize the conversion of an attached, single-car garage to living space, thereby resulting in front yard parking.	
Code Section:	120-173	
SEQR:	Type 2	
Enforcement:	Yes	
Case:	5	
File Number:	V-090-14-15	<i>(HELD from May 21, 2015 hearing at the request of the applicant)</i>
Case Type:	Area Variances	
Address:	1431 Mt. Hope Avenue (SW)	
Zoning District:	C-V Collegetown Village District	
Applicant:	Torben Arend	
Purpose:	To waive the distance separation and transparency requirements associated with the establishment of a high-impact use (i.e. CVS Pharmacy).	
Code Section:	120-146.1; 120-159	
SEQR:	Unlisted	
Lead Agency:	Director of Planning & Zoning	
Enforcement:	No	

Case: **6**
File Number: V-092-14-15
Case Type: Area Variance
Address: 1054 S. Clinton Avenue (SE)
Zoning District: R-1 Low Density Residential District
Applicant: Shigeru Tanaka
Purpose: To legalize the expansion of an existing sit-down restaurant into a portion of the second floor, thereby expanding a nonconforming use, and not meeting the off-street parking requirements.

Code Section: 120-199; 120-173
SEQR: Unlisted
Lead Agency: Director of Planning and Zoning
Enforcement: Yes

Case: **7**
File Number: V-093-14-15
Case Type: Use Variance
Address: 118 Petten Street (NW)
Zoning District: H-V Harbortown Village District
Applicant: Carla Bonaldi
Purpose: To establish a high impact retail store, a prohibited use in the H-V zone, and not meeting the transparency requirement.

Code Section: 120-77; 120-146.1
SEQR: Unlisted
Lead Agency: Director of Planning & Zoning
Enforcement: No

Case: **8**
File Number: V-094-14-15
Case Type: Area Variance
Address: 61 Westminster Road (SE)
Zoning District: R-2 Medium Density Residential District
Applicant: Frank Dicesare
Purpose: To construct a 7' x 16'8" one-story addition to the rear of an existing three family dwelling, thereby exceeding lot coverage limitations.

Code Section: 120-20
SEQR: Unlisted
Lead Agency: Director of Planning & Zoning
Enforcement: No

Case: **9**
File Number: V-095-14-15
Case Type: Use Variance
Address: 1303- 1305 Dewey Avenue (NW)
Zoning District: C-1 Neighborhood Center District
Applicant: Donald Rothschild
Purpose: To legalize the change in use of the property from a 4-family dwelling to a 6-family dwelling, a prohibited use in the zone, and not meeting certain dwelling unit conversion standards.

Code Section: 120-34; 120-166
SEQR: Unlisted
Lead Agency: Director of Planning & Zoning
Enforcement: Yes

Case: **10**
File Number: V-096-14-15
Case Type: Use Variance
Address: 63 Greenleaf Street (SE)
Zoning District: R-2 Medium Density Residential District
Applicant: Stephen Ersteniuk
Purpose: To convert a vacant machine shop to a single family dwelling, not meeting certain lot, area, and yard requirements.

Code Section: 120-20
SEQR: Unlisted
Lead Agency: Director of Planning & Zoning
Enforcement: Yes

Case: **11**
File Number: V-097-14-15
Case Type: Area Variance
Address: 564 Merchants Road (SE)
Zoning District: R-1 Low Density Residential District
Applicant: Stephen Costanza
Purpose: To construct a 14' x 15' addition to the rear of the existing sit-down restaurant, thereby expanding a nonconforming use, and to legalize the use of a previously approved 14' x 18' stairwell/storage addition as restaurant space (kitchen), also an expansion of a nonconforming use.

Code Section: 120-20; 120-166
SEQR: Unlisted
Lead Agency: Director of Planning & Zoning
Enforcement: No